

REMARKS

Claims 1-9 have been canceled. New claims 10-18 have been added. Thus, claims 10-18 are now pending in the present application. Support for the new Claims 10-17 may be found in the original claims 1-4, previously presented claims 5-9, and in the specification at, for example, page 29, lines 16-20. Support for Claim 18 can be found in the specification at page 11, lines 11-12. Thus, no new matter has been added. Reconsideration and withdrawal of the present rejection in view of the amendments and the comments presented herein are respectfully requested.

Rejection under 35 U.S.C. §103(a)

The Examiner maintained the rejection of Claims 1-8, and previously presented claim 9, under 35 U.S.C. §103(a) as being unpatentable over Ueda et al. (US 6,210,855) in view of Uetani et al. (US 5,424,167 and 5,290,657).

The Examiner alleges that the comparative evidence in the application is not commensurate in scope with the claims, which do not recite the resist thickness of the composition as tested. The Examiner notes in the Office Action at page 6, that "claims drawn to a coated substrate having the desired photoresist thickness" (i.e. at least 3 μm) "and/or a method which recites coating a certain thickness on a substrate may be helpful in overcoming the rejection", and that "the comparative evidence would be seen as probative to claims that are commensurate in scope to the comparative evidence (i.e., reciting the particular thickness of the coated resist.)".

The claims as amended recite a coated substrate comprising a substrate and a photosensitive layer which is at least 3 μm in thickness (claims 10-16) or 6 to 8 μm in thickness (Claim 18), and a method of forming a resist pattern comprising conducting a prebake of this coated substrate (claim 17). Thus, the amended claims are commensurate in scope with the unexpected results discussed in the amendment and response filed April 10, 2008.

Thus, the unexpected, superior results obtained when the compound (b-1) is used as a dissolution promoter in combination with the specific alkali-soluble novolak resin (A), are commensurate in scope with the amended claims, and would effectively rebut any prima facie showing of obviousness because such unexpected results could not have been predicted based on the teachings of Ueda and Uetani ('657).

In view of the amendments and comments presented above, Applicants respectfully request reconsideration and withdrawal of rejection under 35 U.S.C. 103(a).

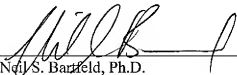
CONCLUSION

Applicants submit that all claims are in condition for allowance. However, if minor matters remain, the Examiner is invited to contact the undersigned at the telephone number provided below.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

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By: 
Neil S. Bartzfeld, Ph.D.
Registration No. 39,901
Agent of Record
Customer No. 20,995
(619) 235-8550